

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

WASEEM DAKER, )  
 )  
 Plaintiff, )  
 )  
 v. ) Case No. CV414-256  
 )  
 NATHAN DEAL, et al., )  
 )  
 Defendants. )

**ORDER**

Plaintiff Waseem Daker, confined in Georgia State Prison in Tattnall County, has filed suit against multiple defendants, most of whom reside in the Atlanta area. He claims that his Cobb County conviction and life-plus sentence for, *inter alia*, malice murder is subject to sentence review under an invalidated Georgia statute. (Doc. 1.) His claim is focused entirely upon his right to sentencing review. He does not ask the Court to invalidate or shorten his sentence. As such, his claim is properly brought under 18 U.S.C. § 1983, not habeas corpus. *Wilkinson v. Dotson*, 544 U.S. 74, 82 (2005). Because his claim primarily arises from events occurring in the Atlanta area, and because eighteen of the twenty named defendants are located in the Atlanta area (the sole

exceptions being the Georgia Department of Corrections ("D.O.C.") and D.O.C. Commissioner Brian Owens, both located within the jurisdiction of the Middle District of Georgia), the most appropriate forum for the action appears to be the Northern District of Georgia. 28 U.S.C. § 1391(b) (venue is generally proper in the judicial district where any defendant resides or where a substantial part of the events giving rise to the claim occurred; none of the named defendants reside within this district and none of the events Daker complains of occurred in this district); 28 U.S.C. § 1406 (permitting district courts to dismiss or transfer cases suffering from venue defects); 28 U.S.C. § 90 (establishing districts and divisions for Georgia's federal courts). Accordingly, this case is transferred to the Northern District of Georgia for all further proceedings.

**SO ORDERED** this 3<sup>rd</sup> day of December, 2014.

  
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UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA